



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	MVK-JCB-2005-813
EVALUATOR:	Joyce Butler
PHONE NO.:	(601) 631-5294
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	November 18, 2005
EXPIRATION DATE:	December 8, 2005

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the Mississippi Department of Environmental Quality at Post Office Box 10385, Jackson, MS 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Mark Frascogna
Neopolis Development Group, LLC
10 Canebrake, Suite 119
Flowood, Mississippi 39232

Name of Agent:

Mr. Walt Dinkelaker
Wildlife Technical Services
Post Office Box 820188
Vicksburg, Mississippi 39182

Location of Work: Section 26, T6N-R2E, Site 1 latitude 33.3328°, longitude -90.0619° and Site 2 latitude 32.3330°, longitude -90.0655° within the Middle Pearl-Strong, Mississippi River drainage basin, Rankin County, near Flowood, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to mechanically clear and fill wetlands and other waters of the United States. The purpose of the project would be for construction of a Traditional Neighborhood Development that would include commercial and retail buildings, as well as residential developments. Included in the development would be mixed-use buildings utilized as townhouses, condos, apartments, shop front buildings, office buildings, churches, hotels, and schools. In addition, weirs would be constructed in Hogg Creek to create a system of lakes with green space/common areas.

The project would be located on two parcels of land on either side of Old Fannin Road. Site 1 is located on the east side of the road and consists of approximately 140 acres, with approximately 1.47 acre of emergent palustrine wetlands and 3.03 acres of other waters of the United States in Hogg Creek, 0.4 acre in ephemeral streams, and 0.21 acre in an intermittent stream. Site 2 is located on the west side of the road and consists of approximately 25 acres, with approximately 0.15 acre of emergent palustrine wetlands and 1.2 acres of other waters in Hogg Creek.

Development on Site 1 would include 750,000 square feet of office space, 125,000 square feet of retail space, 648 residential units, approximately 7 acres of green/common space, and an approximately 28-acre lake. Site 2 development would include 125,000 square feet of office and retail space, 200 residential units, approximately 2 acres of green/common space, and an approximately 8-acre lake.

The lake system would be created by installing a system of weirs in Hogg Creek. The areas outside of Hogg Creek would require upland excavation to create a footprint and levee system. Excavated material would be used as fill material on-site or disposed of in an off-site upland disposal area.

The project would result in impacts to a total of approximately 6.46 acres of both wetlands and other waters of the United States within Hogg Creek and the other ephemeral and intermittent streams. A total of approximately 1.66 acres of wetlands would be filled, with an additional 4.8 acres of other waters inundated by the lake system. Approximately 8,700 cubic yards of fill

material would be used as a base material for residential and commercial/retail structures in jurisdictional areas. Concrete would then be applied as required for construction. The placement of dredged and/or fill material in wetlands and waters of the United States associated with the mechanized land clearing and filling of the site requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Rankin County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization

of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

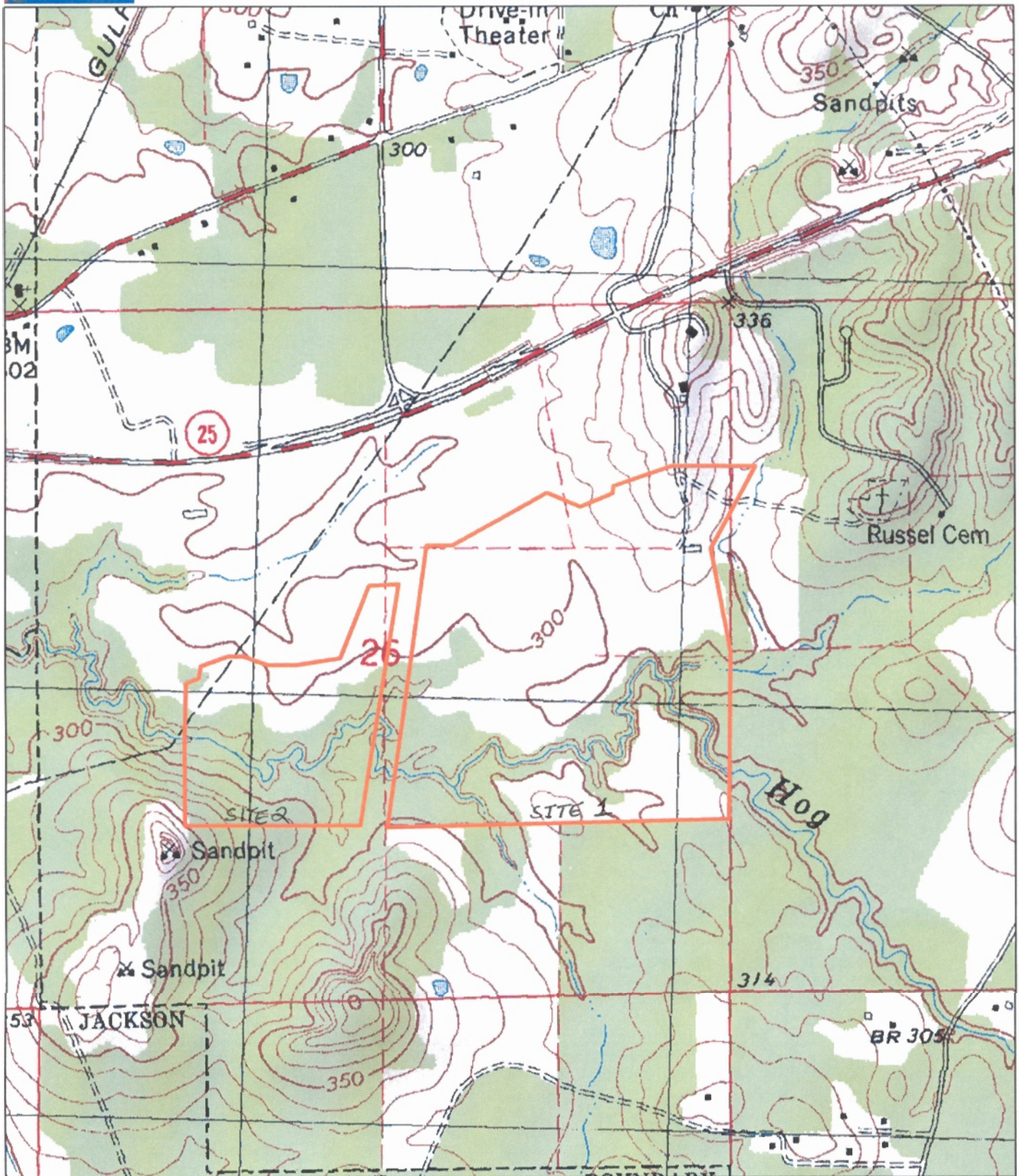
Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

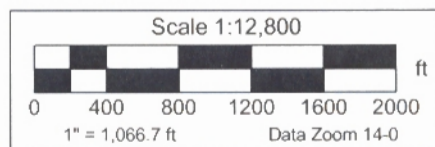
Vicinity Map

Project Location

CEMVK-OD-FE MVK-2005-813
NEOPOLIS DEV LLC



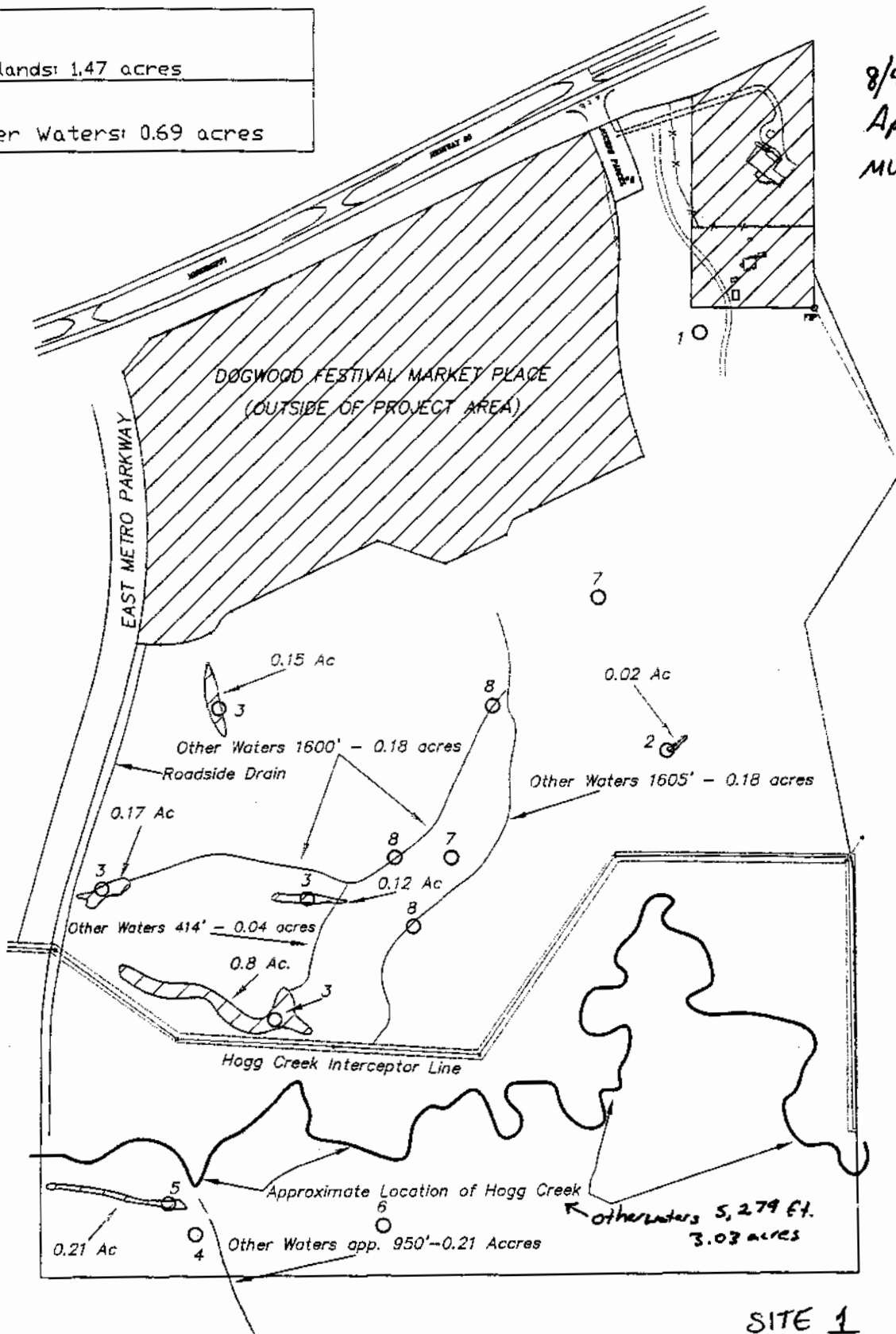
Neopolis Development Group, LLC
Proposed Flowood Town Center
Site Map



Wetlands: 1.47 acres

Other Waters: 0.69 acres

8/4/2005 Jeremy Clay
Approved JD
MUK-2005-813



SITE 1

 **Pickering Inc.**

SITE MAP
RIDGWAY PLANNING - HOGG PROPERTY

DATE:

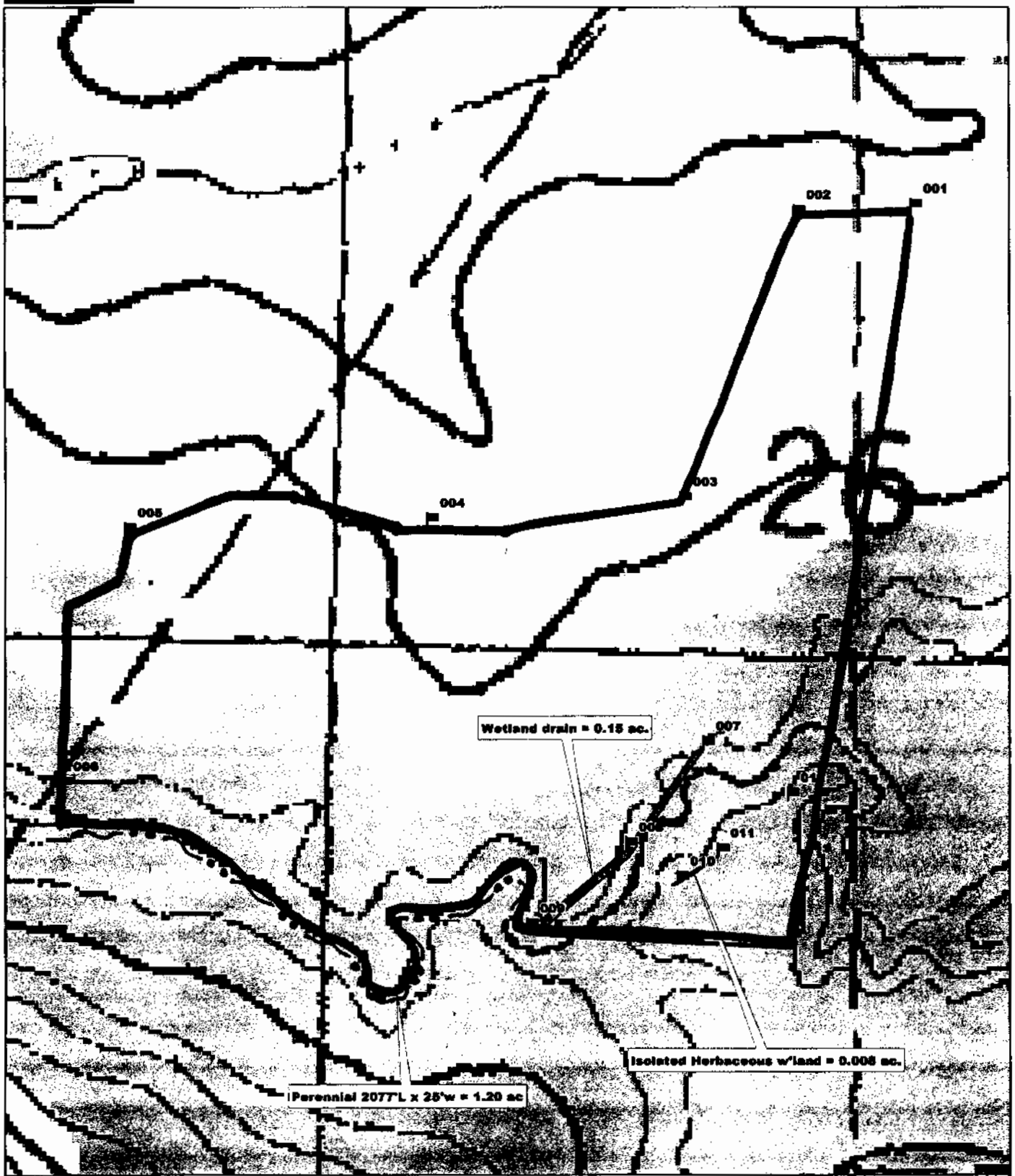
MAY 2005

○ DATA POINTS

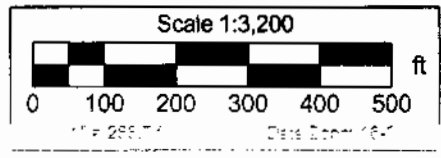
SCALE:

1" = 550'

▨ WETLANDS



Neopolis Development Group, LLC
Proposed Flowood Town Center
Site Map (West Parcel)

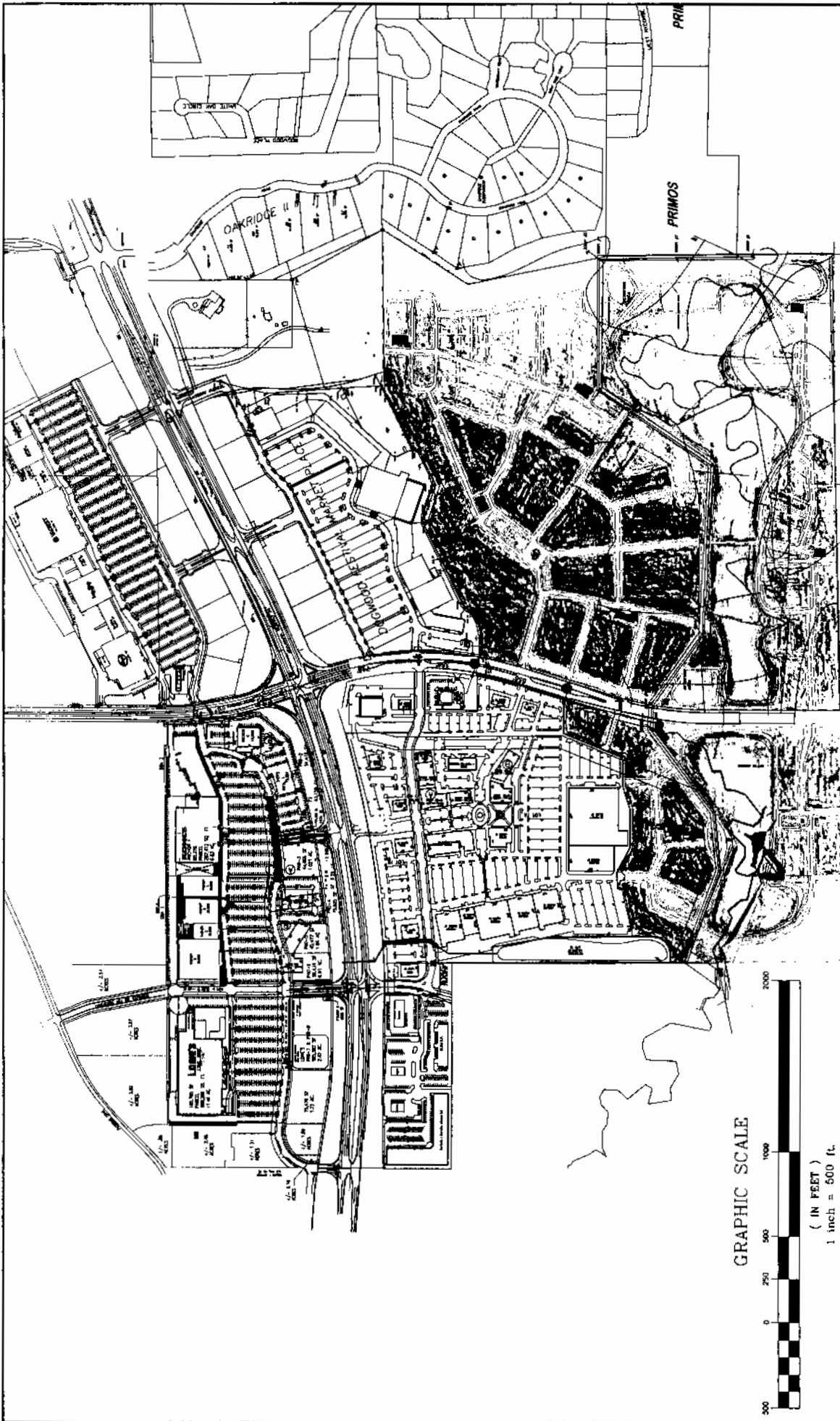


SITE 2

Data use subject to license
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- Property Boundary

jurisdictional areas
 - Jurisdictional other waters of the US
 - Jurisdictional Wetlands (Enclosure 1)



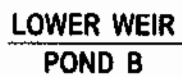
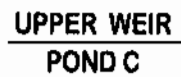
GRAPHIC SCALE



(IN FEET)
1 inch = 500 ft.

<p>Pickering Incorporated Planning · Engineering · Management</p>	<p>DATE: 9-6-05 SCALE: 1" = 500' JOB NO. 20662</p>
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One Country Place
Pleasant Hill, MO 63026
Tel: 636-592-6196
Fax: 636-592-6196



Pickering Incorporated
Planning - Engineering - Management

One Country Place
Pearl, MS 39208

801-932-7878
FAX 801-932-8789

DATE:
9-26-05

SCALE:
N.T.S.

JOB NO.
20662